

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SUNFIELD ENTERPRISE
CORPORATION,

Plaintiff,

Y.

SAPPHIRE AUDIO LLC,

Defendant.

C.A. No. 05-CV-685

JOINT MOTION TO EXTEND DISCOVERY DEADLINE

The Plaintiff, Sunfield Enterprise Corporation (“Sunfield”), and the Defendant, Sapphire Audio LLC (“Sapphire”), hereby jointly request that the Court issue an Order extending the deadline for taking discovery in this matter from November 8, 2006, to February 1, 2007. In support of their motion, the parties state as follows:

1. Sunfield initiated this action by filing the Complaint on or about September 20, 2005.
2. On January 10, 2006, the Court issued an Order requiring that all discovery “be commenced in time to be completed by November 8, 2006.” The Order further established deadlines for filing and serving motions for summary judgment (November 21, 2006) and motions in limine (February 21, 2007); scheduled a pretrial conference for March 7, 2007; and scheduled a seven-day jury trial to begin on March 19, 2007.
3. Since the Court issued the January 10 Order, the parties have engaged in discovery, but have devoted the majority of their efforts to settlement discussions, including mediation before Judge Thyne of this Court, which began on October 12, 2006. The parties’

mediation and settlement efforts have not resulted in a settlement of this matter, but they are continuing.

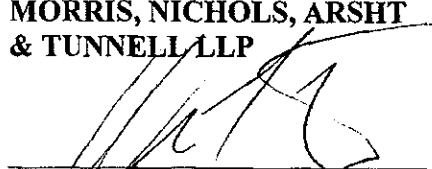
4. Accordingly, the parties request an extension of the discovery deadline to February 1, 2007, so that they can complete the discovery needed to try this case if a trial proves to be necessary.

5. The parties have agreed, and hereby stipulate, that neither of them will file a summary judgment motion. Consequently, extension of the discovery deadline to February 1, 2007, will not affect the remaining deadlines in this case.

WHEREFORE, the parties jointly request that the Court enter an Order extending the discovery deadline to February 1, 2007, and grant such other relief as the Court deems just and proper.

Respectfully submitted,

**MORRIS, NICHOLS, ARSHT
& TUNNELL LLP**



William O. LaMotte III (No. 460)
MORRIS, NICHOLS, ARSHT
& TUNNELL LLP
Chase Manhattan Centre, 18th Floor
1201 North Market Street
Wilmington, DE 19899
(302) 658-9200 (Phone)
(302) 658-3989 (Fax)
wlamotte@mnat.com


-and-

Thomas J. Sartory
Patrick M. Curran, Jr.
GOULSTON & STORRS, P.C.
400 Atlantic Avenue
Boston, MA 02110-3333
(617) 482-1776

Attorneys for Defendant and
Plaintiff-in-Counterclaim
Sapphire Audio LLC

Dated: October 30, 2006

**EDWARDS ANGELL PALMER
& DODGE LLP**



Mark D. Olivere (No. 4291)
EDWARDS ANGELL PALMER
& DODGE LLP
919 N. Market Street
Suite 1500
Wilmington, DE 19801
302.777.7770 (Phone)
302.777.7263 (Fax)
molivere@eapdlaw.com

-and-

Steven M. Cowley
Jason L. Zanetti
EDWARDS ANGELL PALMER
& DODGE LLP
111 Huntington Ave
Boston, MA 02199
(617) 439-4444

Attorneys for Plaintiff and
Defendant-in-Counterclaim
Sunfield Enterprise Corporation